

LEGAL NOTICE No. 134

## THE STAMP DUTY ACT

(Cap. 480)

IN EXERCISE of the powers conferred by section 106 of the Stamp Duty Act, the Minister for Finance and Planning hereby directs that the instruments, the details of which are specified in the Schedule hereto, shall be exempted from the provisions of the Act.

## SCHEDULE

<i>Date of Instrument</i>	<i>Nature of Instrument</i>	<i>Parties</i>	<i>Title Numbers</i>
23rd October, 1974	Deed of Conveyance	Glanjoro Farms Limited and The Rift Valley Development Trust Registered Trustees.	L.R. Nos. 7018 and 456/2 Nakuru Municipality.
23rd October, 1974	Transfer	Glanjoro Farms Limited and The Rift Valley Development Trust Registered Trustees.	L.R. Nos. 3380/4 Nakuru Municipality; 7385/5-West of Nakuru; and 5636/1 North East of Njoro Township.
23rd October, 1974	Charge and Mortgage	The Rift Valley Development Trust Registered Trustees and Kenya Commercial Bank Limited.	L.R. Nos. 7018; 456/2; 3380/4; 7385/5 and 5636/1.

Made this 21st day of May, 1977.

MWAI KIBAKI,  
Minister for Finance and Planning.

LEGAL NOTICE No. 135

## THE TRAFFIC ACT

(Cap. 403)

IN EXERCISE of the powers conferred by section 72J of the Traffic Act, the Municipal Council of Nakuru hereby makes the following By-laws:—

THE MUNICIPAL COUNCIL OF NAKURU (OMNIBUS STATIONS) BY-LAWS, 1977

Citation.

1. These By-laws may be cited as the Municipal Council of Nakuru (Omnibus Stations) By-laws, 1977, and shall apply to the area of jurisdiction of the Municipal Council of Nakuru.

Interpretation.

2. In these By-laws, unless the context otherwise requires—  
“council” means the Municipal Council of Nakuru;

“motor omnibus” means a public service vehicle having seating accommodation for more than seven passengers exclusive of the driver, and includes any motor-car, having seating accommodation for not more than ten passengers exclusive of the driver, which is used to carry passengers for hire or reward, whether or not such vehicle is licensed to be a public service vehicle;

“omnibus station” means the omnibus station provided by the council between the wholesale yard at the Municipal Market and East Road and indicated as such by a sign and any other stations established by the council from time to time;

“owner” means any person whether a company or association or body of persons corporate or unincorporate in whose name an omnibus is registered under the Act and in the case of an omnibus subject to hire-purchase agreement includes the hirer under the agreement;

“supervisor” means an officer of the council authorized by the town clerk to control and supervise the omnibus stations and includes his duly authorized assistant;

“town clerk” means the person for the time being holding the office of town clerk of the council, his deputy and any other officer of the council authorized by the town clerk.

3. No driver of an omnibus plying for hire or reward shall, except with the prior written permission of the town clerk, start or terminate any journey at any place other than an omnibus station and such driver shall follow such routes as may be laid down by the council for the purpose of starting or terminating any journey.

Start and  
termination  
of journey.

4. No driver of an omnibus when carrying passengers for hire or reward once having departed from an omnibus station shall return to that omnibus station until he has completed the scheduled journey in respect of such departure.

Completion  
of scheduled  
journey.

5. No omnibus whilst plying for hire or reward and carrying passengers shall, except with the prior written permission of the town clerk, be parked or stand in any place other than an omnibus station:

Stopping  
and  
parking.

Provided that nothing in these By-laws shall apply to any omnibus standing at any stopping place designated as such for the purpose only of—

- (a) picking up passengers on the outward journey for destination beyond the boundary of the council; and
- (b) setting down passengers from outside the boundary of the council on the inward journey.

6. (1) An owner of an omnibus utilizing the omnibus station shall furnish the town clerk with a copy of his operative time-table indicating the scheduled times of arrival and departure of all services and the town clerk may at his discretion approve such a timetable or before such approval require that such alterations or amendments as appear necessary for the efficient and smooth running of the omnibus station be made thereto.

Time-table.

(2) No omnibus shall remain within the omnibus station beyond the time prescribed in the time-table for its scheduled departure therefrom.

Control of omnibuses in an omnibus station.

7. (1) All omnibuses within the omnibus station shall be under the direction of the supervisor and the drivers of any such omnibuses shall at all times comply with and obey all instructions, directions and orders given by the supervisor in respect of the place and manner of parking, the time of departure and arrival and any other matters conducive to the efficient and safe operation of the omnibus station.

(2) The council may from time to time lay down conditions covering such matters as are referred to in paragraph (1) of this by-law and may cause such conditions to be conspicuously displayed at an omnibus station.

Removal of an omnibus.

8. (1) Where an omnibus is left in an omnibus station in contravention of Part VIA of the Act or of these By-laws, the supervisor or police officer may have the same removed and kept in safe custody.

(2) An owner of an omnibus removed in pursuance of paragraph (1) of this by-law shall not be entitled to recover the same until he has paid to the council a fee of twenty-five shillings in respect of each period of twenty-four hours or part thereof that the omnibus has remained in safe custody together with a fee of fifty shillings in respect of expenses incurred in removing and keeping the same in safe custody.

Passengers.

9. Any person other than the owner of an omnibus who boards or is upon an omnibus shall be deemed to be there for the purpose of being carried therein for hire or reward.

Selling of goods in an omnibus station.

10. No person shall use or cause to be used any omnibus standing in an omnibus station for the purposes of effecting any sale, purchase or exchange of goods of whatever kind.

Manner of entering an omnibus.

11. When six or more persons are waiting to enter an omnibus at an omnibus station they shall form a queue and no person shall enter or attempt to enter an omnibus ahead of any person in such a queue.

Instructions and directions of supervision.

12. Every person in an omnibus station shall comply with and obey all lawful instructions, directions and orders given by a supervisor for the purpose of controlling or supervising an omnibus station.

Deposit of debris.

13. No person shall deposit or cause to be deposited in an omnibus station any refuse or garbage otherwise than in receptacles provided for the purpose.

Conduct of persons in an omnibus station.

14. No person at an omnibus station or at an omnibus stop shall-

- (a) wilfully interfere with or obstruct a supervisor acting in the performance of his duties;
- (b) wilfully interfere with or obstruct any person alighting from, entering or intending to enter an omnibus;
- (c) enter or attempt to enter an omnibus otherwise than by the doors provided for that purpose;

- (d) wilfully obstruct any driver or conductor of an omnibus acting in the performance of his duty as driver or conductor; or
- (e) behave in a disorderly manner.

15. No person within an omnibus station shall—

Nuisances.

- (a) urinate in any place other than a public lavatory; or
- (b) interfere with or molest any other person or tout or shout, call out for custom; or
- (c) cause any disturbance or use any offensive, obscene or annoying language; or
- (d) damage, deface, foul, misuse or interfere with any part of such omnibus station or any signs, equipment, fittings or fixtures provided therein or thereon; or
- (e) spit; or
- (f) play games or loiter therein or thereabouts; or
- (g) operate or cause or suffer to be operated any instrument fitted into an omnibus capable of giving audible warning of its approach or position in such manner as to be so loud and so continuous or repeated as to cause annoyance and to be a nuisance to the public.

16. Where ticket offices are provided by the council on a rental basis no person shall within or in the vicinity of an omnibus station buy or sell a ticket or any document purporting to entitle a person to travel on any omnibus other than at such ticket offices.

Ticket offices.

17. No person shall hawk, solicit or carry on any trade within or in the vicinity of an omnibus station except with the prior written permission of the town clerk.

Hawking and trading.

18. The council may provide suitable trading facilities in the omnibus station and such facilities may be let or hired out upon such conditions as it shall think fit and as it may from time to time determine.

Trading facilities.

19. (1) The council may from time to time and at its own discretion suspend the use of the whole or any part of an omnibus station for the purpose of effecting repair or carrying out any other necessary works.

Suspension of use of omnibus station.

(2) Where the use of the whole of an omnibus station has been suspended the council may provide a temporary omnibus station at such place as it shall determine.

20. (1) The owner of an omnibus using an omnibus station shall pay to the council in advance the appropriate fees prescribed in the Schedule to these By-laws.

Fees.

(2) For the purpose of this by-law any omnibus driven into an omnibus station shall be deemed to be using the omnibus station.

Offences and penalties.

(3) No person shall drive an omnibus into an omnibus station when the fees due in respect thereof has not been paid.

21. (1) Any person who contravenes or fails to comply with any of the provisions of these by-laws shall be guilty of an offence.

(2) Any person who is guilty of an offence under these by-laws shall be liable to a fine not exceeding five hundred shillings or a term of imprisonment not exceeding two months or to both such fine and such imprisonment.

(3) In the case of a second or subsequent conviction for the same offence the accused shall be liable to a fine not exceeding one thousand shillings or to a term of imprisonment not exceeding four months or to both such fine and such imprisonment.

SCHEDULE (By-law 20)

Annual fees ... .. Sh. 600

Made this 28th day of April, 1977.

By Order of the Municipal Council of Nakuru.

J. P. N. SIMBA,  
*Acting Town Clerk.*

Approved this 20th day of May, 1977.

R. S. MATANO,  
*Minister for Local Government.*

LEGAL NOTICE No. 136

THE LOCAL GOVERNMENT REGULATIONS, 1963

(L.N. 256 of 1963)

IN EXERCISE of the powers conferred by regulation 151 (5) (b) of the Local Government Regulations, 1963, the County Council of Gusii hereby makes the following Rules:—

THE LOCAL GOVERNMENT (COUNTY COUNCIL OF GUSII) GRATUITY RULES, 1977

Citation.

1. These Rules may be cited as the Local Government (County Council of Gusii) Gratuity Rules, 1977.

Interpretation.

2. In these Rules, unless the context otherwise requires—

“clerk” means the clerk to the council;

“council” means Gusii County Council;

“continuous employment” means the uninterrupted time spent by an employee in the employment of a local authority;

Cap. 258.

“dependant” means a dependent relative as defined in the National Social Security Fund Act;